

REMARKS

Claims 1-17 remain herein. Claim 5 also remain herein but is presently withdrawn.

Claims 1, 5 and 6 have been amended. New claim 17 has been added. Support for the amendments and the new claim may be found throughout the specification (see, e.g., compounds (1)-(121) at pages 12-21 of the specification). Claims 5 and 6 have been amended to correct a clerical error.

1. The Office Action states that the Information Disclosure Statement filed on February 4, 2008 is deficient because no copies of the references were provided. However, the references were provided and appear in PAIR.

2. Claims 1-4, 6-10 and 12 were rejected under 35 U.S.C. § 102(b) over Noguchi et al. EP 517542.

Claim 1 recites a material for organic electroluminescence devices comprising a compound represented by general formula (1), with the proviso that when R₉ comprises two or more groups selected from heterocyclic groups or tertiary amino groups, R₉ comprises at least one heterocyclic group selected from a number of specific heterocyclic groups.

Claim 17 recites a material for organic electroluminescence devices comprising a compound represented by general formula (1), with the proviso that R₉ comprises a substituted or unsubstituted group selected from a number of specific groups.

Noguchi does not disclose a compound represented by general formula (1), wherein R₉ comprises one of the specific group or heterocyclic groups recited in claims 1 and 17.

When a compound is not specifically named, but instead it is necessary to select portions of teachings within a reference and combine them, e.g., select various substituents from a list of alternatives given for placement at specific sites on a generic chemical formula to arrive at a specific composition, anticipation can only be found if the classes of substituents are sufficiently limited or well delineated. Ex parte A, 17 USPQ2d 1716 (BPAI 1990); MPEP 2131.02. The species is anticipated only if one of ordinary skill in the art is able to "at once envisage" the specific compound within the generic chemical formula. See In re Petering, 301 F.2d 676 (CCPA 1962); MPEP 2131.02. Furthermore, one may look to the preferred embodiments to determine which compounds can be anticipated. Id.

None of Noguchi's exemplified compounds meets the limitations of applicants' claims. Thus, Noguchi does not disclose all limitations of applicants' claims, and, therefore, it is not adequate basis for a rejection under § 102(b). Applicants respectfully request reconsideration and withdrawal of this rejection.

3. Claim 11 was rejected under 35 U.S.C. § 103(a) over Hamada U.S. Patent Application Publication 2002/0081456 in view of Noguchi.

As admitted in the Office Action, Hamada is silent on the use of a carboline compound. In addition, as discussed above, Noguchi does not disclose all the elements of applicants' claims.

Thus, none of Hamada and Noguchi discloses all elements of applicants' claim 11. In addition, Hamada and Noguchi disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. Furthermore, there is no disclosure or teaching in Hamada, Noguchi, or otherwise in this record that would have suggested the desirability of

modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection.

4. Claims 13, 15 and 16 were rejected under 35 U.S.C. § 103(a) over Noguchi in view of Thoms et al. U.S. Patent Application Publication 2003/0205696.

As discussed above, Noguchi does not disclose all the elements of applicants' claims. Thoms does not teach or suggest what is missing from Noguchi. Thoms says nothing about a compound represented by general formula (1), wherein R₉ comprises one of the specific group or heterocyclic groups recited in claims 1 and 17.

Thus, none of Noguchi and Thoms discloses all elements of applicants' claims 13, 15 and 16. In addition, Noguchi and Thoms disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. Furthermore, there is no disclosure or teaching in Noguchi, Thoms or otherwise in this record that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection.

5. Claim 14 was rejected under 35 U.S.C. § 103(a) over Noguchi in view of Lee et al. U.S. Patent 6,351,067.

As discussed above, Noguchi does not disclose all the elements of applicants' claims. Lee does not teach or suggest what is missing from Noguchi. Lee says nothing about a compound

represented by general formula (1), wherein R₉ comprises one of the specific group or heterocyclic groups recited in claims 1 and 17.

Thus, none of Noguchi and Lee discloses all elements of applicants' claim 14. In addition, Noguchi and Lee disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. Furthermore, there is no disclosure or teaching in Noguchi, Lee or otherwise in this record that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. For all the foregoing reasons, applicants respectfully request reconsideration and withdrawal of this rejection.

6. Claims 1, 9-13, and 15 were provisionally rejected on the nonstatutory ground of obviousness-type double patenting over claims 1, 3 and 11 of Iwakuma et al. U.S. Patent Application No. 11/480,463.

Claims 1, 3 and 11 of Iwakuma '463 say nothing about a compound represented by general formula (1), wherein R₉ comprises one of the specific group or heterocyclic groups recited in claims 1 and 17.

Thus, claims 11, 3 and 11 of Iwakuma '463 are not an adequate basis for a rejection for nonstatutory obviousness-type double patenting. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Serial No.: 10/538,023
Attorney's Docket No.: 28955.4027

For the foregoing reasons, all claims 1-4 and 6-17 are now fully in condition for allowance, which is respectfully requested. The PTO is hereby authorized to charge or credit any necessary fees to Deposit Account No. 19-4293. Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, he is invited to telephone applicants' undersigned representative.

Respectfully submitted,

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Date: August 19, 2008

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